

K-1775D  
PATENT

In the application of: Montgomery, Jr.  
Serial No.10/657,397  
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RESPONSE TO FINAL OFFICE ACTION OF SEPTEMBER 14, 2004

-2-

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This listing of claims will replace all prior versions and listings of claims in this patent application. - Listing of Claims

**Claims 1-21 cancelled**

**22. (Currently Amended) A protective wear sleeve for a bit holder of a cutting tool assembly wherein the wear sleeve comprises:**

an elongate body having an axial forward end and an axial rearward end; the elongate body having a solid enlarged diameter portion adjacent to the axial forward end thereof and a split portion beginning at and extending in an axial forward direction from the rearward end wherein the split portion contains a slot so that the split portion is flexible in a radial direction, and a solid intermediate portion being between and contiguous with the enlarged diameter portion and the split portion;

the split portion having an external surface that is uniform over the entire length thereof, and the intermediate portion having an external surface that is uniform wherein the diameter of ~~the~~ the external surface of the split portion is equal to the diameter of the surface of the intermediate portion; and

when the wear sleeve is in the central bore, the external surface of the split portion is biased in a radial outward direction against the central bore of the bit holder so as to retain the wear sleeve in the central bore of the bit holder.

**23. (Previously Presented) The protective wear sleeve of claim 22 wherein the split portion extends for less than one-half of the axial length of the elongate body.**

**24. (Previously Presented) The protective wear sleeve of claim 22 wherein the enlarged diameter portion comprises a collar for protecting the bit holder from axial forces applied to the cutting tool.**

**25. (Previously Presented) The protective wear sleeve of claim 22 wherein the elongate body has a generally cylindrical geometry.**